

REMARKS

Claims 1-23 are pending in this application. Claims 1-4, 6, 8-10, 14 -17 and 19-22 have been rejected. In this response, claims 1-2, 5-9, 14-16, and 18-21 are amended. Claims 3, 4, 10, 17, and 22-23 have been cancelled. No new matter has been added.

The status of the application in light of this Office Action is as follows:

(A) The Examiner has rejected claims 1-4, 6, 8-10, 14-17 and 19-22 under 35 U.S.C. §103(a) as being allegedly unpatentable over Rowser, et al. (U.S. Patent No. 6,917,336, hereinafter referred to as 'Rowser') in view of Chien (U.S. Patent No. 7,027,005, hereinafter referred to as 'Chien').

(B) The Examiner has rejected claims 3, 10, 17 and 22 under 35 U.S.C. §103(a) as being allegedly unpatentable over Rowser, et al. and Chien as applied to claims 1-4, 6, 8-10, 14-17 and 19-22, and further in view of Colman, et al. (U.S. Patent No. 5,050,236, hereinafter referred to as 'Colman').

(C) The Examiner has indicated that claims 5, 7, 11-13, 18 and 23 are allowed. Applicant thanks the Examiner for allowing the claims.

Reconsideration and withdrawal of the rejections set forth in the Office Action dated October 30, 2009, are respectfully requested in view of the remarks below.

A. RESPONSE TO 35 U.S.C. §103(A) REJECTION OF CLAIMS 1-4, 6, 8-10, 14-17 AND 19-22

The Examiner has rejected claims 1-4, 6, 8-10, 14-17 and 19-22 under 35 U.S.C. §103(a) as being allegedly unpatentable over Rowser in view of Chien.

Applicant respectfully disagrees. As explained below, the applicant respectfully submits that Rowser, Chien, and the combination of Rowser and Chien fail to disclose or fairly suggest applicant's claims.

1. THE CITED REFERENCES, ALONE OR IN COMBINATION, LACK CLAIMED ELEMENTS

The KSR decision in no way relieves the Patent Office of its obligations to "consider all claim limitations when determining patentability of an invention over the prior art."¹ Accordingly, it remains well settled law that a finding of "obviousness requires a suggestion of *all limitations* in a claim."² In the aftermath of KSR, the Board of Patent Appeals and Interferences has repeatedly reversed findings of obviousness when the Examiner has failed to proffer references containing all claim limitations. See, e.g., Wada, 2008 WL 142652 at *5 which states "because the Examiner has not explained why *every limitation* in claim 26 would have been obvious to a person of ordinary skill in the art, we agree with Appellants that the Examiner has not made out a case of prima facie obviousness." (emphasis added); and see Ex Parte Challapali, 2008 WL 111346, *4-6 (Bd.Pat.App. & Interf., Jan. 10, 2008), reversing finding of obviousness because the Examiner failed to establish sufficient reasoning for combining the references.

¹ KSR International Co. v. Teleflex Inc., 127 S.Ct. 1727, 82 U.S.P.Q.2d 1385 (2007).

² CFMT, Inc. v. Yieldup Intern. Corp., 349 F.3d 1333, 1342 (Fed. Cir. 2003) (emphasis added) (cited in Ex Parte Wada, 2008 WL 142652, *4 (Bd.Pat.App. & Interf., Jan. 14, 2008)).

The system in independent claim 1, among other features, includes "a scatter-plate subassembly that is tuned to direct the *received signals onto* the pair of *dipole probe elements* subassembly".

The Office Action acknowledges that Rowser fails to teach "a scattering-plate" ("Rowser et al is silent on the limitation of a tuned scatter-plate subassembly", Page 2 of Office Action mailed October 20, 2009).

The Office Action then points to element 20 of **FIG. 2** in reference Chien. The cited element in Chien, however, is a reflection plate that reflects signals *generated by the antenna* in a selected direction. For example, in Chien:

"...The reflection plate 20 is made of metal that has a shielding effect upon electromagnetic waves, and can therefore reflect radiation signals generated by the antenna 10 in a selected direction to boost the directional gain of the antenna." (Col 2 lines 59-63)

"The reflection plate 20 has a trough to couple with the antenna 10 vertically and converge the electromagnetic wave radiated from the antenna 10 in a selected direction to enhance to directionality of the antenna 10." (Col 3 lines 37-40) (Emphasis added.)

In other words, Chien discloses a transmission antenna, while claim 1 is directed, *inter alia*, to a reception antenna. Although Chien mentions the use of a reflection plate, the reflection plate is used, by Chien, to reflect signals generated by an antenna, rather than directing "received signals" onto a pair of dipole probe elements subassembly, as claimed.

Moreover, Chien does not teach that the reflection plate 20 is tunable or is "tuned to" direct received signals, as recited in claim 1. Thus, Chien fails to teach, fairly suggest, or motivate "a scatter-plate subassembly that is tuned to direct the *received signals* onto the pair of *dipole probe elements* subassembly", as recited in claim 1.

Furthermore, Rowser, Chien, and the combination of Rowser and Chien fail to disclose "a bias decoupling inductor to reduce noise contribution of the differential voltage amplifier; wherein an inductance value of the decoupling inductor is selected such that an RF voltage peaking effect is obtained at a transistor input at a desired frequency", as recited in claim 1.

Overall, none of the applied references, singly or in any motivated combination, disclose or suggest the features recited in independent claim 1, and thus claim 1 is allowable, based on at least the above stated reasons/arguments. Independent claims 9, 14, and 19 claim similar subject matter, and are thus allowable for at least the same or similar reasons.

The withdrawal of rejections under 35 U.S.C. § 103(a) is thus respectfully requested for independent claims 1, 9, 14, and 19.

**2. THE COMBINATION SET FORTH IN THE OFFICE ACTION WOULD NOT
WORK AS INTENDED**

Moreover, applicant respectfully submits that Rowser cannot be combined with Chien to establish a proper 35 U.S.C. § 103(a) rejection since the references, when combined in the manner as presented in the Office action, would not function as expected.

The reflector element 20 of Chien, which is configured to reflect signals generated by a transmitting antenna, would not work with Rowser's receiver antenna, and certainly would not yield applicant's system as claimed (e.g., a scatter-plate tuned to direct the received signals onto the pair of dipole probe elements subassembly", as recited in claim 1).

Thus, applicant submits that Rowser and Chien cannot be properly combined and used to support a proper 35 U.S.C. § 103(a) rejection. The withdrawal of rejections

under 35 U.S.C. § 103(a) is respectfully requested for all pending claims, based on at least the above stated reasons.

**B. RESPONSE TO 35 U.S.C. §103(A) REJECTION OF CLAIMS 3, 10, 17
AND 22**

Claims 2-4, 6, 8, 10, 15-17 and 20-22, which depend from independent claims 1, 9, 14, and 19, are allowable at least for depending from an allowable base claim, and potentially for other reasons as well.

Since the dependent claims are allowable for the reasons provided above, a specific discussion of the prior art associated only with rejections of the dependent claims is not necessary for the purpose of overcoming the rejections. Applicant's silence regarding the applicability of any particular reference should not be taken as agreement with, or acquiescence to, any particular rejection. Applicant amended the dependent claims to improve form and to generally to impart precision to the claims. Accordingly, Applicants respectfully request that the Examiner re-evaluate of the rejections.

The withdrawal of the rejections under 35 U.S.C. § 103(a) for claims 2-4, 6, 8, 10, 15-17 and 20-22, are respectfully requested.

No Disclaimers or Disavowals

Although this communication may include changes to the application or claims, or characterizations of claim scope or referenced art, the applicant is not conceding that previously pending claims are not patentable over the cited references; instead, any changes or characterizations are being made to facilitate expeditious prosecution of this application. Thus, the applicant reserves the right to later pursue any previously pending claims, or other broader or narrow claims, that capture any subject matter supported by this application, including subject matter that might be found disclaimed herein or by any earlier prosecution. Accordingly, anyone reviewing of this or any related prosecution history shall not reasonably infer that the applicant has disclaimed or disavowed any subject matter supported by this application.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

If the Examiner believes a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned at (650) 838-4306 to arrange for such a conference.

Please charge any deficiencies or credit any overpayments to our Deposit Account No. 50-2207, under Order No. 32052-9179.US from which the undersigned is authorized to draw.

Dated:

2/1/2010

Respectfully submitted,

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